

(1) an unmanned aircraft system (referred to in this section as “UAS”) that—

(A) is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(C) uses a ground control system or operating software developed in a covered foreign country or by a corporation domiciled in a covered foreign country; or

(D) uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country;

(2) a software operating system associated with a UAS that uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country; or

(3) a system for the detection or identification of a UAS, which system is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense or the Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary submits a written certification described in paragraph (2) to—

(A) in the case of the Secretary of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) in the case of the Secretary of Homeland Security, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(2) CONTENTS.—A certification described in this paragraph shall certify that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS described in any of subparagraphs (A) through (C) of subsection (a)(1) that is the subject of a waiver under paragraph (1) is required—

(A) in the national interest of the United States;

(B) for counter-UAS surrogate research, testing, development, evaluation, or training; or

(C) for intelligence, electronic warfare, or information warfare operations, testing, analysis, and or training.

(3) NOTICE.—The certification described in paragraph (1) shall be submitted to the Committees specified in such paragraph by not later than the date that is 14 days after the date on which a waiver is issued under such paragraph.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—This Act shall take effect on the date that is 120 days after the date of the enactment of this Act.

(2) WAIVER PROCESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall each establish a process by which the head of an office or component of the Department of Defense or Department of Homeland Security, respectively, may request a waiver under subsection (b).

(3) EXCEPTION.—Notwithstanding the prohibition under subsection (a), the head of an office or component of the Department of Defense or Department of Homeland Security may continue to operate a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS described in any of subparagraphs (1) through (3) of subsection (a) that was in the inventory of such office or

component on the day before the effective date of this Act until, the later of—

(A) the date on which the Secretary of Defense or Secretary of Homeland Security, as the case may be

(i) grants a waiver relating thereto under subsection (b); or

(ii) declines to grant such a waiver, or

(B) 1 year after the date of the enactment of this Act.

(d) DRONE ORIGIN SECURITY REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall each submit to the congressional committees described in paragraph (2) a terrorism threat assessment and report that contains information relating to the following:

(A) The extent to which the Department of Defense or Department of Homeland Security, as the case may be, has previously analyzed the threat that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country operating in the United States poses, and the results of such analysis.

(B) The number of UAS, software operating systems associated with a UAS, or systems for the detection or identification of a UAS from a covered foreign country in operation by the Department of Defense or Department of Homeland Security, as the case may be, including an identification of the component or office of the Department at issue, as of such date.

(C) The extent to which information gathered by such a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country could be employed to harm the national or economic security of the United States.

(2) COMMITTEES DESCRIBED.—The congressional committees described in this paragraph are—

(A) in the case of the Secretary of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) in the case of the Secretary of Homeland Security, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term “covered foreign country” means a country that—

(A) the intelligence community has identified as a foreign adversary in its most recent Annual Threat Assessment; or

(B) the Secretary of Homeland Security, in coordination with the Director of National Intelligence, has identified as a foreign adversary that is not included in such Annual Threat Assessment.

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(3) UNMANNED AIRCRAFT SYSTEM; UAS.—The terms “unmanned aircraft system” and “UAS” have the meaning given the term “unmanned aircraft system” in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44802 note).

**SA 3953.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the De-

partment of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1064. PROHIBITION ON THE USE OF THE DIGITAL YUAN.**

(a) DEFINITIONS.—In this section—

(1) the term “digital yuan” means the digital currency of the People’s Bank of China, or any successor digital currency of the People’s Republic of China;

(2) the term “executive agency” has the meaning given that term in section 133 of title 41, United States Code; and

(3) the term “information technology” has the meaning given that term in section 11101 of title 40, United States Code.

(b) PROHIBITION ON THE USE OF DIGITAL YUAN.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services, the Director of the Cybersecurity and Infrastructure Security Agency, the Director of National Intelligence, and the Secretary of Defense, and consistent with the information security requirements under subchapter II of chapter 35 of title 44, United States Code, shall develop standards and guidelines for executive agencies requiring the removal of any digital yuan from information technology.

(2) NATIONAL SECURITY AND RESEARCH EXCEPTIONS.—The standards and guidelines developed under paragraph (1) shall include—

(A) exceptions for law enforcement activities, national security interests and activities, and security researchers; and

(B) for any authorized use of digital yuan under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

**SA 3954.** Mrs. BLACKBURN (for herself and Mr. LUJÁN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. \_\_\_\_\_. STUDY ON NATIONAL LABORATORY CONSORTIUM FOR CYBER RESILIENCE.**

(a) STUDY REQUIRED.—The Secretary of Homeland Security shall, in coordination with the Secretary of Energy and the Secretary of Defense, conduct a study to analyze the feasibility of authorizing a consortia within the National Laboratory system to address information technology and operational technology cybersecurity vulnerabilities in critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))).

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) An analysis of any additional authorities needed to establish a research and development program to leverage the expertise at

the Department of Energy National Laboratories to accelerate development and delivery of advanced tools and techniques to defend critical infrastructure against cyber intrusions and enable resilient operations during a cyber attack.

(2) Evaluation of potential pilot programs in research, innovation transfer, academic partnerships, and industry partnerships for critical infrastructure protection research.

(3) Identification of and assessment of near-term actions, and cost estimates, necessary for the proposed consortia to be established and effective at a broad scale expeditiously.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study conducted under subsection (a).

(2) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) Committee on Armed Services, the Committee Energy and Natural Resources, and the Committee on Homeland Security and Government Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

**SA 3955.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXXI, add the following:

**SEC. 3157. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.**

(a) IN GENERAL.—Subtitle B of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is amended by adding at the end the following new section:

**“SEC. 4815. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.**

“(a) AUTHORIZATION.—The Administrator may authorize the director of each covered nuclear weapons production facility to allocate not more than 5 percent of amounts made available to the facility for a fiscal year pursuant to a DOE national security authorization (as defined in section 4701) to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at the facility.

“(b) DEFINITION.—In this section, the term ‘covered nuclear weapons production facility’ means the following:

“(1) The Kansas City National Security Campus, Kansas City, Missouri, as well as related satellite locations.

“(2) The Y-12 National Security Complex, Oak Ridge, Tennessee.

“(3) The Pantex Plant, Amarillo, Texas.

“(4) The Savannah River Site, Aiken, South Carolina.”

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4814 the following new item:

“Sec. 4815. Limitation on use of funds for National Nuclear Security Administration facility-directed research and development.”

**SA 3956.** Mr. BENNET (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. \_\_\_\_ CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.**

The Secretary of Defense shall continue to support the FireGuard program with National Guard personnel to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires until September 30, 2026. After such date, the Secretary may not reduce such support, or transfer responsibility for such support to an interagency partner, until 30 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives written notice of such proposed change, and reasons for such change.

**SA 3957.** Mr. CARPER (for himself, Mr. MERKLEY, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

**Subtitle B—PLUM Act**

**SEC. 1121. SHORT TITLE.**

This subtitle may be cited as the “Periodically Listing Updates to Management Act” or the “PLUM Act”.

**SEC. 1122. ESTABLISHMENT OF PUBLIC WEBSITE ON GOVERNMENT POLICY AND SUPPORTING POSITIONS.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

**“§ 3330f. Government policy and supporting position data**

“(a) DEFINITIONS.—In this section:

“(1) AGENCY.—The term ‘agency’ means—

“(A) any Executive agency, the United States Postal Service, and the Postal Regulatory Commission;

“(B) the Architect of the Capitol, the Government Accountability Office, the Govern-

ment Publishing Office, and the Library of Congress; and

“(C) the Executive Office of the President and any component within such Office (including any successor component), including—

“(i) the Council of Economic Advisors;

“(ii) the Council on Environmental Quality;

“(iii) the National Security Council;

“(iv) the Office of the Vice President;

“(v) the Office of Policy Development;

“(vi) the Office of Administration;

“(vii) the Office of Management and Budget;

“(viii) the Office of the United States Trade Representative;

“(ix) the Office of Science and Technology Policy;

“(x) the Office of National Drug Control Policy; and

“(xi) the White House Office, including the White House Office of Presidential Personnel.

“(2) APPOINTEE.—The term ‘appointee’—

“(A) means an individual serving in a policy and supporting position; and

“(B) includes an individual serving in such a position temporarily in an acting capacity in accordance with—

“(i) sections 3345 through 3349d (commonly referred to as the ‘Federal Vacancies Reform Act of 1998’);

“(ii) any other statutory provision described in section 3347(a)(1); or

“(iii) a Presidential appointment described in section 3347(a)(2).

“(3) COVERED WEBSITE.—The term ‘covered website’ means the website established and maintained by the Director under subsection (b).

“(4) DIRECTOR.—The term ‘Director’ means the Director of the Office of Personnel Management.

“(5) POLICY AND SUPPORTING POSITION.—The term ‘policy and supporting position’ means—

“(A) a position that requires appointment by the President, by and with the advice and consent of the Senate;

“(B) a position that requires or permits appointment by the President or Vice President, without the advice and consent of the Senate;

“(C) a position occupied by a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a);

“(D) a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulation;

“(E) a position in the Senior Foreign Service;

“(F) any career position at an agency that, but for this section and section 1122(b)(3) of the PLUM Act, would be included in the publication entitled ‘United States Government Policy and Supporting Positions’, commonly referred to as the ‘Plum Book’; and

“(G) any other position classified at or above level GS-14 of the General Schedule (or equivalent) that is excepted from the competitive service by law because of the confidential or policy-determining nature of the position duties.

“(b) ESTABLISHMENT OF WEBSITE.—Not later than 1 year after the date of enactment of the PLUM Act, the Director shall establish, and thereafter maintain, a public website containing the following information for the President then in office and for each subsequent President:

“(1) Each policy and supporting position in the Federal Government, including any such position that is vacant.